

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

JOSE A. RODRIGUEZ CRUZ,

Plaintiff,

v.

Civil Case No. 2016-0020

**MAXWELL BRYAN, JONATHAN
SANTIAGO, VICTOR GRAHAM,
DIANE PROSPER, GOLDEN GROVE
CORRECTIONAL FACILITY, and
GOVERNMENT OF THE U.S. VIRGIN
ISLANDS,**

Defendants.

Appearances:

Jose A. Rodriguez Cruz

St. Croix, U.S.V.I.

Pro Se

Lashanda J Willis, Esq.

St. Thomas, U.S.V.I.

For Defendant Maxwell Bryan

Christopher M. Timmons, Esq.

St. Croix, U.S.V.I.

*For Defendants Jonathan Santiago, Victor Graham, Diane Prosper, Golden Grove
Correctional Facility, and Government of the U.S. Virgin Islands*

ORDER

UPON CONSIDERATION of Plaintiff Jose A. Rodriguez Cruz's ("Plaintiff") failure to file a response to Defendants Jonathan Santiago, Victor Graham, and Diane Prosper's "Motion for Summary Judgment" (Dkt. No. 173); Plaintiff's failure to file a response to Defendant Maxwell Bryan's "Summary Judgment Motion" (Dkt. No. 175); and the lack of a response to the Report and Recommendation ("R&R") by Magistrate Judge Emile A. Henderson III (Dkt. No. 176), which

recommends the dismissal of certain claims, and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that Plaintiff's claims against all Defendants are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute; and it is further

ORDERED that Magistrate Judge Emile A. Henderson III's Report and Recommendation ("R&R") (Dkt. No. 176) is **REJECTED AS MOOT**; and it is further

ORDERED that Defendants Government of the U.S. Virgin Islands, Golden Grove Correctional Facility, Jonathan Santiago and Victor Graham's "Motion to Dismiss" (Dkt. No. 69) is **DENIED AS MOOT**; and it is further

ORDERED that Defendants Jonathan Santiago, Victor Graham, and Diane Prosper's "Motion for Summary Judgment" (Dkt. No. 173) is **DENIED AS MOOT**; and it is further

ORDERED that Defendant Maxwell Bryan's "Summary Judgment Motion" (Dkt. No. 175) is **DENIED AS MOOT**; and it is further

ORDERED that the Clerk of Court is directed to mark this case **CLOSED**.

SO ORDERED.

Date: March 31, 2024

_____/s/_____
WILMA A. LEWIS
District Judge